

Contracting & Labor Standards Appendix

Procurement

1. Are steps being taken to ensure fair and open opportunities for all contractors? __Yes __No
2. Does the grantee have a written policy regarding contract change orders? __Yes __No
If yes, is it being followed? __Yes __No
3. Does review indicate that procurement leading to all construction contracts has been undertaken properly? __Yes __No
4. Do program files contain the basis for contractor selection? __Yes __No
5. Is contractor participation based on the lowest bid received? __Yes __No
If no, explain: _____

6. Are signed contracts on file? __Yes __No
7. For contracts over \$100,000, have minimum standards for bid guarantees, performance and payment bonds been met? __Yes __No
8. Is there documentation that all contractors carry the necessary insurance required by 24 CFR Part 85 and OCD Policy Statement #4? __Yes __No

Special Civil Rights Requirements

1. Are appropriate Special Equal Opportunity Provisions contained in all construction contracts and related subcontracts of \$10,000 and under? __Yes __No
2. Are the following included in all contracts and subcontracts that exceed \$10,000?
 - a. Section 202 of Executive Order 11246 __Yes __No
 - b. EEO Certification __Yes __No
 - c. Segregated Facilities Certification __Yes __No
3. Is a written Section 3 Affirmative Action Plan signed by the contractor contained in all construction contracts exceeding \$100,000? __Yes __No

Labor Standards Contract Administration

1. Does the grantee have designated staff to ensure compliance with labor standards? __Yes __No
Name: _____
2. Was a wage rate determination requested prior to solicitation of bids? __Yes __No
3. Are field inspections of construction activities made on a regular basis? __Yes __No
4. Is a copy of the applicable wage determination and any additional classifications posted by the contractor at the work site? __Yes __No
5. Is the DOL Notice to Employees' poster with name and telephone number of the grantee's labor standards compliance officer posted at the work site? __Yes __No
6. Do bid documents contain the following:
 - a. Labor Standards Provisions & Wage Determination? __Yes __No
 - b. Bidder EEO Certification? __Yes __No
 - c. Bidder Segregated Facilities Certification? __Yes __No
 - d. Sec. 3 Affirmative Action Plan? __Yes __No __N/A
7. Is documentation of the following present for each project?
 - a. Labor Standards enforcement file? __Yes __No
 - b. Construction start date? __Yes __No
 - c. Specified contract award date? __Yes __No
 - d. Pre construction conference minutes? __Yes __No
 - e. Documentation for any wage restitutions? __Yes __No __N/A
 - f. Notification to OCD of underpayments? __Yes __No __N/A
 - g. Copies of Notification of Underpayment and Restitution for each incidence? __Yes __No __N/A
 - h. Apprentice/Trainee registration records? __Yes __No __N/A
 - i. Employee interviews? __Yes __No
 - j. Payrolls received and reviewed? __Yes __No
8. Have the following documents been sent to OCD as required?
 - a. Contract Information Reporting Form? __Yes __No
 - b. Section 3 Utilization Report? __Yes __No __N/A

Sample Contract Review

Project #: _____ Contractor: _____

Project Address: _____

Description of Work: _____

Bid Opening Date: _____ Contract Amount: \$ _____

Start Date: _____ Award Date: _____ Force Acct. ☐ Yes ☐ No

Contract Documents

1. Labor standards? ☐ Yes ☐ No

2. Wage Decision? ☐ Yes ☐ No

3. Contractor Certifications? ☐ Yes ☐ No

4. Wage Determination requested prior to soliciting of bids? ☐ Yes ☐ No

5. Wage Determination included in bid documents? ☐ Yes ☐ No

6. Were modifications received less than 10 days prior to bid opening? ☐ Yes ☐ No

If yes, were they in the contract documents? ☐ Yes ☐ No

If no, describe what the grantee did to resolve the situation.

7. Is the Wage Determination with any additional classifications and/or modifications posted at the job site? ☐ Yes ☐ No

8. Does review of payroll record indicate documentation of the following:

a. Payrolls submitted weekly? ☐ Yes ☐ No

b. Payrolls numbered sequentially? ☐ Yes ☐ No

c. Payrolls signed by employer or authorized representative? ☐ Yes ☐ No

e. Records of additional classifications? ☐ Yes ☐ No ☐ N/A

f. Payment of overtime? ☐ Yes ☐ No ☐ N/A

g. Each worker's address and social security reported on the weekly payrolls? ☐ Yes ☐ No

h. The contractor's IRS Employer's Identification Number reported? ☐ Yes ☐ No

i. Proper employee deductions withheld? ☐ Yes ☐ No

9. Does review of employee records indicate documentation of the following:

a. Employee interviews completed? ☐ Yes ☐ No

How many interviews were completed? _____

- b. Interviews are sufficiently documented? ☐ Yes ☐ No
c. A representative number of trades was covered? ☐ Yes ☐ No
d. Interviews were compared against payrolls? ☐ Yes ☐ No

10. Did any wage underpayments occur? ☐ Yes ☐ No

11. Is documentation present that restitution has been made? ☐ Yes ☐ No ☐ N/A

Areas Needing Improvement:

1. _____

2. _____

Areas of Non-Compliance:

1. _____

Required Action: _____

2. _____

Required Action: _____
